

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 821 OF 2006
IN
CRIMINAL APEAL NO.652 OF 2006

Smt. Chandrabhabha Nandkumar Wagh
& Anr.

... Applicants.

V/s.

The State of Maharashtra.

.. Respondents.

Mr. Ujwal Agandurve for the Applicants.

Mr. A.S. Shitole, A.P.P. for the State.

CORAM : A.S. OKA, J.
DATE : 08TH SEPTEMBER, 2006.

P.C. :

1. Heard Advocates appearing for the parties. The Applicants have been convicted for the offence punishable under Section 8(c) read with Section 20(B) and Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985. The substantive sentence awarded is of two years. The Advocate for the Applicants states that fine amount has already been deposited.

2. It is not in dispute that during the pendency of the trial, the Applicants were on bail and after passing the order of conviction and sentence, the stay order was extended by the Sessions Court by passing an order below application at exhibit 64.

3. My attention has been invited to the observations made by the Sessions court in Paragraph No.39 of the impugned

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Judgment and Order. The learned Additional Sessions Judge has observed that the investigation has been done half-heartedly with the object of saving other culprits. The first Applicant is a woman. The substantive sentence is only of 2 years. Any other Criminal antecedents are not pointed out. Considering the facts and circumstances of the case, the Applicants deserve to be enlarged on bail subject to certain conditions.

4. The Application is disposed of by passing following order :-

(1) The Applicants shall be enlarged on the same bail on which they were enlarged during the pendency of trial subject filing fresh bail bonds within a period of three weeks from today.

(2) Bail is granted subject to condition that the Applicants will report to Sangola Police Station in District Solapur on every first Saturday of every calender month till the final disposal of the appeal.

JUDGE